PATENT 2

Attorney Docket No.: DIVER1260-3

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Jay M. Short

Art Unit:

1652

Application No.:

09/421,629

Examiner:

N.T. Nashed

Filed:

October 19, 1999

Confirmation No.:

4408

Title:

PROTEIN ACTIVITY SCREENING

MAIL STOP AF Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

## TRANSMITTAL LETTER

Sir:

Transmitted herewith for the above-identified application please find:

- 1. Notice of Appeal (2 pgs.);
- 2. Petition for Extension of Time (three (3) months) (2 pgs. in duplicate);
- 3. Check No. 561260 in the amount of \$640.00; and
- 4. Return Receipt Postcard.

## **CERTIFICATION UNDER 37 CFR §1.8**

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service with sufficient postage as first class mail on this date, June 18, 2004, in an envelope addressed to: MAIL STOP AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Gregory P. Austin

(Name of Person Mailing Paper)

Dugon P. austi

June 18, 2004

(Date)

In re Application of: Jay M. Short

Application No.: 09/421,629 Filed: October 19, 1999

Page 2

PATENT Attorney Docket No.: DIVER1260-3

Applicant claims SMALL ENTITY status in the above-identified application. Pursuant

to 37 C.F.R. § 1.27, a verified statement claiming small entity status in not required.

The Fee for this Response is calculated as follows:

| For  | Small Entity<br>Rate | Large Entity<br>Rate | Calculations |
|--|----------------------|----------------------|--------------|
| Petition for Ext. of Time (three (3) months) | \$475                | \$950                | \$475        |
| Notice of Appeal                             | \$165                | \$330                | \$165        |
|  |                      | TOTAL FEE            | \$640        |

Enclosed is Check No. 561260 in the amount of \$640.00 in payment of the notice of appeal fee (\$165.00) and the three (3) month extension of time fee (\$475.00). The Commissioner is hereby authorized to charge any other fees that may be associated with this communication, or credit any overpayment, to Deposit Account No. 50-1355. A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,

Date: <u>June 18, 2004</u>

Lisa A. Haile, J.D., Ph.D. Registration No. 38,347

Telephone: (858) 677-1456

Facsimile: (858) 677-1465

GRAY CARY WARE & FREIDENRICH LLP 4365 Executive Drive, Suite 1100 San Diego, CA 92121-2133 USPTO CUSTOMER NO. 28213